

January 20, 1984

LB 416

bear with us on LB 416. I would remind you that this bill was heard by the Public Health and Welfare Committee February 28th, almost a year ago, and it was advanced to the floor shortly after that date. Since that time two things have happened. This body enacted LB 273 and there has been an Attorney General's Opinion since that time. I will be offering three amendments that are necessary on 416, so just picture if you will for a minute that 416 is a Christmas tree and a few people want to hang an ornament on it. AM1658 comes from the Hospital Association because last year as I said when the Legislature passed 273 it established specific training requirements for care staff members who administer medication in nursing homes. Because specific requirements have been established for nursing homes, the Attorney General's office has questioned if the Department of Health has adequate authority to permit the training in use of care staff members in convalescent hospitals, rehabilitation hospitals and long term care hospitals. The purpose of this amendment in 416 is to grant the Department of Health specific authority that would remove the uncertainty now surrounding the use of care staff members in a hospital long care facility. The authority granted is almost identical to that granted in LB 273. The amendment would require a care staff member to complete a training course of not less than ninety hours. The training must be administered by an RN and be approved by the Department of Health. Section 6 of the amendment provides the Health Department with specific authority to impose a penalty on facilities which violate the provisions of the amendment. I would move the adoption of the amendment at this time.

SENATOR KAHLE: Seeing no lights on, we will be voting on the first Fenger amendment to LB 416. All those in favor say aye. Oh, machine vote. All those in favor vote aye, those opposed no.

CLERK: Senator Kahle voting yes.

SENATOR KAHLE: Please vote. The Clerk may record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Fenger's first amendment.

SENATOR KAHLE: Senator Fenger's first amendment is adopted.